

SUMMARY OF PROPOSED AMENDMENTS AND NEW REGULATIONS OF THE ARKANSAS ELEVATOR SAFETY BOARD

Arkansas Department of Labor
#010.05

May 24, 2006

Rule 010.05-001 through 010.05-010(J). These new rules are basically an adoption of the Model Rules recommended by the Attorney General. They provide procedures for rule-making, adjudicative hearings, general licensing requirements, and general public information regarding the organization of the agency and the authority of the board.

Rule 010.05-010(K) through (S). The provisions of this rule implement the requirements of Act 1813 of 2005 requiring the licensure of elevator contractors and elevator mechanics. The fees are established as follows:

Elevator inspectors	\$100 annually	(currently \$25)
Elevator contractors	\$250 annually	
Elevator mechanics	\$ 75 annually or \$150 every 2 years	

This rule establishes a requirement for continuing education of 6 hours per year for mechanics and inspectors. The rule also provides the methods by which applicants are to verify work experience and establishes the process for license renewals.

Rules 010.05-011 through 010.05-015. These proposed rules amend the board's current rules to update the minimum safety standards for new conveyances, major alterations, existing conveyances, as well as minimum standards for inspection, testing, and operation. The board adopts by reference the most recent editions of the American Society of Mechanical Engineers' Codes for Elevators (ASME Codes).

The board makes two (2) exceptions to the ASME Code for Existing Elevators, A17.3. Specifically, the board allows any owner until December 31, 2010 to install phase I and phase II fire service. Additionally, the board allows any owner of a hydraulic elevator with a flat-bottom jack until December 31, 2010 to do a retro-fit. Variances may be applied for in particular cases.

The board's rules are amended with respect to fees for installation permits, operating permits, and inspections to comply with current statutes. The fee for a temporary operating permit is increased from \$12 to \$100.

There is a new requirement to post the installation permit on the construction site near the installation.

There is a new requirement for an owner to maintain a current address on file with the agency.

Rule 010.05-016. The board's rule with respect to variances is amended to establish a new fee of \$100 for filing an application for a variance. Additionally, the rules state two instances in which the board will not grant a variance, and provides that cost-savings alone is not evidence of undue hardship.

Rule 010.05-017. This new rule establishes procedures for the assessment and payment of fines.

Rule 010.05-018. This amendment updates the standards for accessibility for the disabled to the 2003 edition of the American National Standards Institute for Buildings and Facilities—Providing Accessibility and Usability for Handicapped People. Current rules incorporate the 1986 edition.